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FEC MAIL CENTER

OFFICE OF GENERAL  
Daniel A. Petalas  
COUNSEL  
Associate General Counsel for Enforcement  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

MUR # 6864

Re: Request for Investigation of Nicholas Ruiz III for Congress and Danielle Ruiz for Conversion of Campaign Funds to Personal Use

Dear Mr. Petalas:

Pursuant to 2 U.S.C. § 437g(a)(1), I hereby request that the Federal Election Commission ("FEC") initiate an investigation of Nicholas Ruiz III for Congress and Danielle Ruiz, both individually and in her capacity as treasurer of Nicholas Ruiz III for Congress, for converting campaign funds to personal use in violation of 2 U.S.C. § 439a(b)(1) and 11 C.F.R. § 113.1(g)(1)(i)(H).

The Federal Election Campaign Act ("FECA") generally prohibits the conversion of campaign funds by any person to their own personal use. 2 U.S.C. § 439a(b)(1). FEC regulations define the term "personal use" to include "[s]alary payments to a member of the candidate's family, unless the family member is providing *bona fide* services to the campaign. If a family member provides *bona fide* services to the campaign, any salary payment in excess of the fair market value of the services provided is personal use." 11 C.F.R. § 113.1(g)(1)(i)(H). *See also* FEC Advisory Opinion 2001-10 (Rep. Jesse Jackson, Jr.)

Nicholas Ruiz III for Congress is the principal campaign committee for Nicholas Ruiz III, a candidate for the Democratic nomination to represent the Ninth Congressional District of Florida in the U.S. House of Representatives. Danielle Ruiz is the spouse of Nicholas Ruiz III and the treasurer of Nicholas Ruiz III for Congress.

Since July 2013, Danielle Ruiz, as treasurer of Nicholas Ruiz III for Congress, has been paying herself a salary of \$500 per month for accounting, management and compliance services. This amount is far in excess of the fair market value of the services she provides to the campaign and therefore constitutes a conversion of campaign funds to personal use in violation of 2 U.S.C. § 439a(b)(1) and 11 C.F.R. § 113.1(g)(1)(i)(H).

In each of the past three calendar quarters, Ms. Ruiz has been the single largest recipient of campaign funds from Nicholas Ruiz III for Congress. *See* Nicholas Ruiz III for Congress, October 15 Quarterly Report, Schedule B at 12-13 (filed October 15, 2013); Nicholas Ruiz III for Congress, January 31, Amended Year-End Report, Schedule B at 16-17 (filed February 2, 2014); Nicholas Ruiz III for Congress, April 15 Quarterly Report, Schedule B at 11-12 (filed April 13, 2014). Over the past nine months, Ms. Ruiz's salary as treasurer has amounted to more than a third of the total operating expenditures of the campaign - \$4,500 out of \$12,799.25. *Id.*

In the last six months of 2013, Nicholas Ruiz III for Congress paid more to Ms. Ruiz for her services as treasurer (\$3,000) than it did for all campaign advertising (\$1,672.31). Id.

Clearly, Ms. Ruiz is being grossly overpaid for managing a virtually nonexistent campaign. Under the FEC's regulations, Ms. Ruiz's salary clearly constitutes a conversion of campaign funds to personal use in violation of 2 U.S.C. § 439a(b)(1) and 11 C.F.R. § 113.1(g)(1)(i)(H).

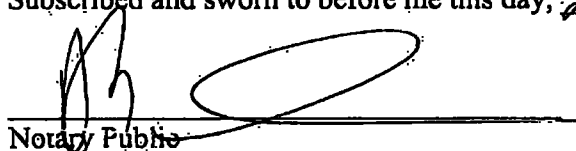
Accordingly, I hereby request that the Federal Election Commission initiate an investigation of Nicholas Ruiz III for Congress and Danielle Ruiz, both individually and in her capacity as treasurer of Nicholas Ruiz III for Congress, for multiple violations of 2 U.S.C. § 439a(b)(1) and 11 C.F.R. § 113.1(g)(1)(i)(H), impose appropriate sanctions and take any further action that may be appropriate.

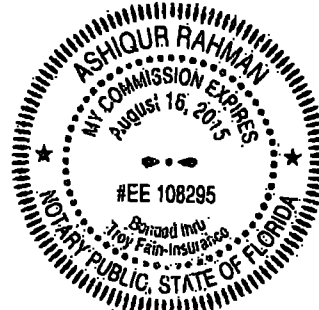
Sincerely,



Lisa Selmon Vance

Subscribed and sworn to before me this day, 21<sup>st</sup> August, 2014

  
Notary Public



Lisa Selmon Vance

Orlando, FL 32825